

UNITED STATES DISTRICT COURT
for the
District of Rhode Island

United States of America

v.

Ryan Bilby

Date of Previous Judgment: 02/04/2005

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: 1:04-CR-00038-01-T) USM No: 05446-070) Edward C. Roy

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 66 months months is reduced to time served as of 3/3/08.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	<u>29</u>	Amended Offense Level:	<u>27</u>
Criminal History Category:	<u>I</u>	Criminal History Category:	<u>I</u>
Previous Guideline Range:	<u>87</u> to <u>108</u> months	Amended Guideline Range:	<u>70</u> to <u>87</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain): Downward variance based on disproportionate sentence increase in crack cocaine cases, cooperation displayed when police went to defendant's home, low level participant, age, and no violence/firearm was involved.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 02/04/2005 shall remain in effect.

IT IS SO ORDERED.Order Date: 2/26/08Ernest C. Jones

Judge's signature

Effective Date: 03/03/2008
(if different from order date)Ernest C. Torres, Senior U.S. District Judge

Printed name and title